

ATTORNEY DOCKET NO: 71149

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : STOCK  
Serial No :  
Confirm. No. :  
Filed :  
For : DEVICE AND PROCESS...  
Art Unit :  
Examiner :  
Dated : November 25, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Attached please find Form PTO-1449 together with the references as stated in the specification and by the German Patent and Trademark Office.

- U.S. 6,167,746 discloses an apparatus and method for determining a persons sobriety.

The reference is discussed at page 1 of the specification. A copy of this reference is not being submitted at this time in accordance with the new U.S. Patent Office rule.

- DE 44 43 142 discloses a measuring cell for determining the concentration of alcohol in exhaled breath. This reference is discussed at page 2 of the specification. Applicant also attaches an English language abstract.

- DE 195 45 794 discloses a gas sampling system having a mouthpiece. Applicant attaches an English language abstract for DE 195 45 794. Applicant also wishes to bring to the attention of the Examiner the corresponding U.S. Patent 5,739,412. A copy of this reference

is not being submitted at this time in accordance with the new U.S. Patent Office rule.

- DE 2 035 982 discloses a device for controlling the supply of inhaled gas-to-gas analysis equipment. The control is based on the flow. The device includes pressure pipes 3 and 4 arranged in a flow line 1 with an orifice plate 2 providing a pressure drop. No full translation of this reference is available to Applicant at this time.

Respectfully submitted  
for Applicant,

By:



John James McGlew  
Registration No. 31,903  
McGLEY AND TUTTLE, P.C.

JJM:tf  
71149.5

Enclosed: PTO-1449 Form  
copies of (3) References

DATED: November 25, 2003  
SCARBOROUGH STATION  
SCARBOROUGH, NEW YORK 10510-0827  
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, NO.: EV323629870US

McGLEY AND TUTTLE, P.C.  
SCARBOROUGH STATION, SCARBOROUGH, NY 10510-0827

BY: John James McGlew DATE: November 25, 2003

LIST OF REFERENCES CITED  
BY APPLICANT  
(Use several sheets if necessary)Atty Docket No.: 71149  
Ser. No.:  
Applicant: STOCK  
Filing Date:  
Group:

## U.S. PATENT DOCUMENTS

Ex- aminer Initial	Document No.	Date	Name	Class	Sub- class	Filing Date
	<u>6,167,746</u>	<u>Jan. 2, 2001</u>	<u>Gammenthaler</u>			<u>Dec. 14, 1999</u>
	<u>5,739,412</u>	<u>April 14, 1998</u>	<u>Stock et al.</u>			<u>Dec. 4, 1996</u>

## FOREIGN PATENT DOCUMENTS

Ex- aminer Initial	Document No.	Date	Country	Class	Sub- class	Translation Yes/No
	<u>DE 44 43 142</u>	<u>June 5, 1996</u>	<u>Germany</u>			<u>No</u>
	<u>DE 195 45 794</u>	<u>June 12, 1997</u>	<u>Germany</u>			<u>No</u>
	<u>DE 2 035 982</u>	<u>Jan. 27, 1972</u>	<u>Germany</u>			<u>No</u>

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

Ex- aminer Initial	Author	Date	Title	Textbook in	Translation Yes/No

Examiner

Date Considered